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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,624	02/22/2002	Takashi Ishizaka	02-189	4454
7590	04/15/2005		EXAMINER	
Gregory P. LaPointe BACHMAN & LaPOINTE, P.C. Suite 1201 900 Chaple Street New Haven, CT 06510-2802			FERNANDES, CHERYL M	
			ART UNIT	PAPER NUMBER
			2163	
DATE MAILED: 04/15/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/082,624	ISHIZAKA ET AL.
	Examiner	Art Unit
	Cheryl M Fernandes	2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 December 2004.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-3,5-7,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3,5-7,9 and 10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 February 2002 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to the Amendment filed December 3, 2004.

Claims 1-3, 5-7, 9 and 10 are presented for examination. Claims 4 and 8 have been cancelled. Claims 1, 2, 5, 7, 9, and 10 have been amended.

Response to Arguments

2. Referring to the 35 USC 112 second paragraph rejections for claims 2, 3, and 7, Applicant's amendments have been acknowledged.

Consequently, the 35 USC 112 second paragraph rejections toward claims 2 and 3 have been withdrawn. However, the 35 USC 112 second paragraph rejection toward claim 7 has been maintained.

3. Applicant's arguments with respect to claims 1, 7, 9, and 10 have been considered but are moot in view of the new ground(s) of rejection. Amended claims 1, 7, 9, and 10 merely repeat the limitations of claims 4 and 8 now cancelled, with the added limitation of "as said target of retrieval" at the end of each of claims 1, 7, 9, and 10. New grounds of rejection were necessitated by this amendment as the amendment changed the scope of the claims.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation "each ID" in lines 2-3 of the claim, wherein a "data storage means in which plural kinds of customer data identifiable by each ID are distributively stored". There is insufficient antecedent basis for "each ID" in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-7, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Number 6,615,258 B1 issued to Barry et al (hereafter Barry), and further in view of US Patent Number 5,220,625 issued to Hatakeyama et al (hereafter Hatakeyama).

Referring to claim 1, Barry discloses a data management system comprising:

- retrieval means for retrieving data adapted to each of the accepted retrieval conditions from the data storage means (col. 17, lines 12-22 (Fig. 14); 'Report Manager (RM)', col. 21, line 50- col. 22, line 12; 'Report Requestor', col. 23, lines 51-56; col. 25, lines 57-65; 'Trouble Ticketing application server', col. 35,

lines 10-20, Fig. 2, element 36) and specifying a managed object to which the retrieved data belong (col. 38, lines 61-66, Fig. 16g; col. 46, lines 36-41; col. 47, lines 17-37, Fig. 19b¹, Fig. 20²); and

- holding means for holding identification information ('Inbox server database' (Fig. 10, element 273), col. 23, lines 5-18; 'column descriptive information', col. 24, lines 36-47; 'ticket information', col. 39, lines 30-52) for identifying the managed object specified by said retrieval means (col. 39, lines 30-52) as part of a collection of retrieval results collected for each retrieval condition (col. 23, lines 5-18; 'result set', col. 24, lines 36-47; col. 38, lines 36-57; 'saved queries', col. 39, lines 5-29),
- wherein the collection held in said holding means is set as a target of retrieval instead of said data storage means (col. 25, lines 1-22³; col. 32, lines 3-25⁴; col. 34, lines 48-67; col. 39, lines 5-29).

While Barry discloses all of the above claimed subject matter and also discloses specifying a range of pages to be retrieved from a collection of invoice reports (Fig. 19b), performing a logical operation between two or more collections to create a new collection so as to make said holding means hold the newly created collection (Fig. 19b), Barry remains silent as to performing a logical operation between two or more

¹ For each report document retrieved, an Invoice number and BillPayer ID is displayed specifying the customer that each report refers to.

² A report is retrieved that specifies company information and a customer number.

³ When a user selects an existing report stored in inventory, the report is accessing the collection of previously stored report results and is thereby a target of retrieval.

⁴ Customers can retrieve stored previously completed reports from the Inbox server component.

collections to create a new collection so as to make said holding means hold the newly created collection as said target of retrieval.

However, Hatakeyama teaches analogous art that includes performing a logical operation between two or more collections to create a new collection so as to make a holding means hold the newly created collection as a target of retrieval (Abstract; col. 2, lines 31-43; col. 3, lines 40-44; col. 7, line 55 – col. 8, line 56; col. 10, lines 38-69, Fig. 4; col. 13, line 54 – col. 14, line 8, Fig. 12).

It would have been obvious to one of ordinary skill in the art at the time that the invention was made to include performing a logical operation between two or more collections to create a new collection so as to make a holding means hold the newly created collection as a target of retrieval, as taught by Hatakeyama.

The ordinary skilled artisan would have been motivated to modify Barry per the above for the purpose of providing a user with improved manipulability by saving history of searches performed in the past (Hatakeyama, col. 2, lines 36-43) and avoiding erroneous setting of search queries by the user (Hatakeyama, col. 8, lines 53-56).

Referring to claim 9, the limitations of the claim repeat the respective limitations of claim 1 above in the form of a computer-based data management method (see claims 33-63 of Barry). Claim 9 is hereby rejected for the same reasons as claim 1.

Referring to claim 10, the limitations of the claim repeat the respective limitations of claim 1 above in the form of a computer program (Barry, 'object oriented software architecture', col. 6, line 34 – col. 7, line 35; Fig. 1-2). Claim 10 is hereby rejected for the same reasons as claim 1.

Referring to claim 2, the combination of Barry/Hatakeyama discloses an external data taking-in means for taking in data created in an external system (Barry, 'Report Viewer (GUI Applet)', Fig.10, element 215, col. 24, lines 1-35; col. 30, lines 25-59) and containing identification information on a managed object (Barry, 'CorplD', 'BillPayer ID', Fig.19b⁵; 'subscribing customer selection table', col. 30, lines 38-52; 'customer ID', col. 30, line 60-col. 31, line 36) to add the identification information contained in the taken-in data as part of a corresponding collection (Barry, col. 25, lines 1-29⁶; 'add report definition/acknowledgement (ARD/ARDA)', col. 26, lines 16-18; col. 32, lines 11-25).

Referring to claim 3, the combination of Barry/Hatakeyama discloses that the external data taking-in means is configured to take in the data created in the external

⁵ 'Invoice report data' viewed by the Report Viewer includes 'CorplD' and 'BillPayer ID' (Fig. 19b).

⁶ Determination is made as to whether or not an existing report is selected. If an existing report is not selected, the user is presented with the option of creating a new query, the results of which as mentioned before will be added to the collection when the report is completed.

system in the form of a list for each managed object to add the identification information to the collection on a list basis (Barry, col. 24, lines 36-47).

Referring to claim 5, the combination of Barry/Hatakeyama discloses temporary storage means for temporarily storing the collections before held therein, such that the computational means performs the logical operation between collections stored in said temporary storage means while storing the new collection in said temporary storage means (Barry, col. 23, lines 6-18).

Referring to claim 6, the combination of Barry/Hatakeyama discloses modification means for modifying the collections stored in said temporary storage means (Barry, 'maintaining of completed report data', col. 23, lines 6-18; 'report edit option', col. 25, lines 1-29).

Referring to claim 7, Barry discloses a data management system ('Intranet/Internet/web-based data management system', Abstract; col. 3, lines 22-31; col. 4, lines 21-29; 'WWW/Internet Reporting system (WWS)', col. 21, lines 25-49, Fig. 10, element 200) comprising:

- acceptance means for accepting various retrieval conditions ('report requests', col. 21, lines 25-30; 'metadata requests', col. 25, line 66- col. 26, line 36; col. 32, lines 11-25; creation of 'service requests' or 'trouble tickets', col. 35, lines 1-9; 'Query button' (Fig. 16c, element 2452), col. 37, lines 46-65; col. 38, lines 13-35;

col. 44, lines 59-65; col. 46, lines 36-38) for a plurality of data storage means in which plural kinds of customer data (col. 9, lines 23-28) respectively identifiable by each ID are distributively stored ('user id', col. 16, line 33- col. 17, line 22, Fig. 14);

- retrieval means for retrieving data adapted to each of the accepted retrieval conditions from any one of said data storage means (col. 17, lines 12-22 (Fig. 14); 'Report Manager (RM)', col. 21, line 50- col. 22, line 12; 'Report Requestor', col. 23, lines 51-56; col. 25, lines 57-65; 'Trouble Ticketing application server', col. 35, lines 10-20, Fig. 2, element 36) and specifying a customer ID of the data retrieved (col. 46, lines 36-60, Fig. 19a; Fig. 20⁷);
- holding means for holding the ID specified by said retrieval means ('Inbox server database' (Fig. 10, element 273), col. 23, lines 5-18) as part of a collection of retrieval results collected for each retrieval condition (col. 23, lines 5-18; 'result set', col. 24, lines 36-47; col. 38, lines 36-57; 'saved queries', col. 39, lines 5-29); and
- means for taking in customer-related data created in an external system ('Report Viewer (GUI Applet)', Fig.10, element 215, col. 24, lines 1-35; 'first data feed' taken into mainframe server', col. 30, lines 25-59) and containing the ID ('Operational Datastore Components', 'Datamarts', col. 30, line 60-col. 31, line.

⁷ A report is retrieved that specifies a customer number.

36⁸) to add the ID contained in the taken-in data as part of the collection held in said holding means (col. 32, lines 11-25),

- wherein the collection held in said holding means is set as a target of retrieval instead of said plurality of data storage means (col. 32, lines 3-25⁹; col. 34, lines 48-67).

While Barry discloses all of the above claimed subject matter and also discloses specifying a range of pages to be retrieved from a collection of invoice reports (Fig. 19b), performing a logical operation between two or more collections to create a new collection so as to make said holding means hold the newly created collection (Fig. 19b), Barry remains silent as to performing a logical operation between two or more collections to create a new collection so as to make said holding means hold the newly created collection as said target of retrieval.

However, Hatakeyama teaches analogous art that includes performing a logical operation between two or more collections to create a new collection so as to make a holding means hold the newly created collection as a target of retrieval (Abstract; col. 2, lines 31-43; col. 3, lines 40-44; col. 7, line 55 – col. 8, line 56; col. 10, lines 38-69, Fig. 4; col. 13, line 54 – col. 14, line 8, Fig. 12).

⁸ The ODS contains Datamarts which contain report aggregates and are partitioned by customer ID partitioning schemes.

⁹ Customers can retrieve stored previously completed reports from the Inbox server component.

It would have been obvious to one of ordinary skill in the art at the time that the invention was made to include performing a logical operation between two or more collections to create a new collection so as to make a holding means hold the newly created collection as a target of retrieval, as taught by Hatakeyama.

The ordinary skilled artisan would have been motivated to modify Barry per the above for the purpose of providing a user with improved manipulability by saving history of searches performed in the past (Hatakeyama, col. 2, lines 36-43) and avoiding erroneous setting of search queries by the user (Hatakeyama, col. 8, lines 53-56).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M Fernandes who can be reached on (571) 272-4018. The examiner can normally be reached on 9:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 11, 2005
CMF


UYEN LE
PRIMARY EXAMINER